

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

| | | |
|--|---|----------------------------------|
| KENNY HILL, |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | C.A. No. 05-160 Erie |
| |) | District Judge McLaughlin |
| WARDEN JOHN J. LAMANNA, et al., |) | Magistrate Judge Baxter |
| Defendants. |) | |

ORDER

This prisoner civil rights action was filed on May 23, 2005, after Plaintiff was granted leave to file his complaint in forma pauperis. Since such time, Plaintiff has failed to pay any portion of the filing fee of \$ 250.00 in accordance with this Court's Order dated June 3, 2005 [Document # 2].

AND NOW, this 14th day of September, 2005;

IT IS HEREBY ORDERED that Plaintiff show cause before October 4, 2005, for his failure to comply with this Court's order for payment of the filing fee in this matter. Failure to pay the filing fee in accordance with this Court's Order dated June 3, 2005, on or before October 4, 2005, will result in the dismissal of this case for failure to prosecute.

IT IS FURTHER ORDERED that the parties are allowed ten (10) days from this date to appeal this order to a district judge pursuant to Local Rule 72.1.3 B. Failure to appeal within ten (10) days may constitute waiver of the right to appeal.

S/Susan Paradise Baxter
SUSAN PARADISE BAXTER
Chief U.S. Magistrate Judge